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SPEECH

OF

HON. OTHO R. SINGLETON,
OF MISSISSIPPI.

ON

RESISTANCE TO BLACK REPUBLICAN DOMINATION;

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, DECEMBER 19, 1859.

WASHINGTON:
PRINTED AT THE CONGRESSIONAL GLOBE OFFICE.
1859.

SPEECH.

Mr. SINGLETON said:

Mr. CLERK: Up to this point, in the exciting discussion which has been going on since we first came together, I have maintained an unbroken silence, and I regret the necessity, which I feel rests upon me to-day, to depart from my original determination, to take no part in it. But, sir, there are times and occasions, when words are spoken and charges are preferred, when, to remain silent would be to acquiesce in those charges, and would be considered as a tacit acknowledgment of their truth. It seems to have been the purpose of the Republican party, together with the newspaper press which sustains it in its crusade against the South, to throw the blame of the non-organization of this House upon my section. And not satisfied, sir, with this charge, not satisfied with attempting to cast odium upon us as a section, it has even been thrown out by Representatives upon this floor, and especially by the gentleman from Pennsylvania, [Mr. HICKMAN,] who spoke a few days since, that there has not been a single compromise entered into, nor a single compact agreed upon by the North and South, touching the question of slavery, that has not been violated by the latter. Now, sir, if the gentleman had been half as anxious to enlighten his own judgment upon this subject, and to impart correct information to his constituents, as he seems to be to cast reproach upon the South, he would never have made this declaration. Here, in behalf of those I represent, and I may say in behalf of the whole South, I interpose a flat denial to that statement, and I charge, upon the other hand, that precisely the reverse of that proposition is true. It is a well-known fact that the South, for the last thirty years, ever since the slavery agitation commenced in Congress, has been in a minority; and if her Representatives had been ever so much inclined to force upon the North any unjust legislation, or to violate the Constitution in its letter or spirit, they have not had the power to do it. On the contrary, sir, it has been a constant struggle on her part for existence. She has been driven to the wall time and again. Year after year have you kept up this agitation and excitement, and

while she has retreated from one position to another, almost to her disgrace, you now make the charges upon us that we have kept up agitation, and that we have been guilty of violating pledges given or compromises entered into. For one, I am not willing that a party, who has created a storm in this country that now threatens, like the wing of the tempest, to desolate the land from one end to the other, and to overthrow all our institutions, shall shift the responsibility from their shoulders and place it upon those who are innocent. It is very much like the incendiary who applies the torch to your dwelling, and when you discover that it is wrapped in flames, and reproach him with the deed, charges you with disturbing unnecessarily the peace and tranquillity of your neighbors.

The gentleman from Pennsylvania, in the course of his remarks, alluded to the provisions in the Constitution touching the question of slavery, and seemed to complain that some advantages accrued to the South from them. There are but three of them and they are simple in their character. The first is, that which entitles us to three-fifths representation of our slave population upon this floor. I ask you, do you expect us to take less than this? Is it not a clause contained in the Constitution, made by your fathers and by ours? And is it to be expected that we shall consent to relinquish this representation. That constitutional provision may be offensive to you; you may not approve of it; but it is there, and we will never consent that it shall be taken out. We have asked nothing more than the letter of the bond. We are willing to take nothing less. And whenever you undertake to violate that provision of the Constitution, and prevent us from having that representation, you have at once put an end to the compact that binds us together.

It is known to all of us that the slavery question was one of the most difficult of settlement in the convention which framed the Constitution; but, after a long and anxious debate, when a vote was taken there was not found a single dissenting voice upon the adoption of this clause. Again, I say, we have never asked more than we were

entitled to under that provision, and surely as men who know the value of their rights, you will never expect us to submit to anything less. There is, therefore, no cause of complaint in this quarter.

There is another provision to which the gentleman referred, and that is the clause which gives us the right to reclaim our fugitive slaves, when they escape into free States. Are you willing that we shall have that provision of our Constitution carried out? If not, you cast reproach upon your ancestors; for, let me tell you, that when this clause came to be acted upon, it too met with the unanimous support of the convention. We did ask at the hands of Congress, and did receive, in 1790, a law which authorized us to reclaim our fugitive slaves when they escaped into your borders. That law remained upon the statute-book from that day until 1850, when it was thought right and proper to amend it in some respects. The law of 1850 was substituted for the one of 1790. I ask you if there is anything in that law which goes beyond the provisions of the Constitution? If we are entitled to a law at all, it must be an efficient fugitive slave law, as was said by the gentleman from Ohio, [Mr. CORWY,] the other day; and I give him credit for the manly ground he took upon that question. I ask, in all candor, is not this reasonable? Have we demanded anything which we are not entitled to? Has there been any aggression by the South upon the North, in asking not only that you pass this law, but that you shall stand by it, whenever necessary, in its enforcement?

But the gentleman referred also to that clause of the Constitution which looked to the prospective abolition of the slave trade, and seemed to meet that question precisely as though it was the duty of Congress to pass a law to prevent the ingress of Africans after 1808 into this country. If he will examine the Constitution, he will find that provision does not make it imperative upon Congress to legislate at all upon the subject. If Congress has any right to legislate upon the subject, it has that right only by implication, and it may exercise it if deemed proper and expedient; but certainly is under no compulsion so to do. Let me turn to that clause of the Constitution:

"The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person."

Now, is it to be supposed, after reading that clause, that it was the absolute duty of Congress to pass any such law? But such was the argument of the gentleman from Pennsylvania [Mr. HICKMAN] the other day. The power of Congress upon that subject, is at most but discretionary. In its discretion, it did pass the laws now in force; and in the exercise of that same discretion, it may repeal them, and allow slaves to be imported precisely as they were before any law was placed upon the statute-book.

The gentleman says there is a movement at the South for the purpose of repealing all laws upon this subject. I agree that there is a growing sentiment in that direction, and it all results from the fact that in the North, you are concentrating and

focalizing all your efforts for the purpose of paralyzing down the institution of slavery. Struggling, as the South is, for existence, and determined not to go down if she can avoid it, you will find men there who believe that the opening of the slave trade will redound to the interest of the South, and perhaps is necessary to save that institution from destruction and overthrow. There has as yet been no movement upon the part of the South, looking to a repeal of those laws, so far as either branch of Congress is concerned. I will not venture an opinion whether any such movement will be made or not.

So far, therefore, as the provisions of the Constitution are concerned, let me ask you to divest yourselves of your prejudices, and tell me when the South has ever demanded anything to which she was not entitled? What provision of the Constitution has she undertaken to violate? Has she ever asked that she should have more than three-fifths representation for her slaves upon this floor? Has she ever asked anything more than an efficient law for the reclamation of fugitive slaves? Has she asked you to pass any offensive law in regard to the slave trade? If all this be true, then I ask why do gentlemen charge that the South has not kept faith in the observance of the compacts of the Constitution? I call upon gentlemen to take back that charge. They cannot sustain themselves upon it before the country.

But the gentleman referred to the Missouri compromise act, and undertakes to make it appear that the South has been guilty of a breach of good faith and a want of proper observance of its requirements. Let me ask that gentleman, in all sincerity, if, as long as that act was upon the statute-book, an effort was ever made at the South directly or indirectly, to violate it? If so, I ask him to tell me when and where. Did not the North get all the benefits which grew out of it? Did it not?

Mr. HICKMAN. I will answer the gentleman's question by asking him another.

Mr. SINGLETON. That is a Yankee way of doing business which I do not approve of. If I ask a question which admits of a plain answer, I expect to have it.

Mr. HICKMAN. Then I will answer you; and I suppose you will have no objection to answer a question of mine in return.

Mr. SINGLETON. Certainly not.

Mr. HICKMAN. If I understand the history of the legislation of 1850-54, there was a demand made by the Representatives of the South that what was called the exclusive legislation of 1820 should be repealed; that the Missouri compromise law, inasmuch as it prevented slavery from entering into territory north of the line 36° 30', was unjust toward the South, and they demanded its repeal. They went, almost in a body, for its repeal. By the aid of a few northern Representatives, they accomplished that repeal; and in return for it they gave to the North what I say was a distinct pledge, that the question of slavery, from that day forward, should cease to be agitated in Congress, and that the settlement of the whole question should be left to the people of the Territories for their determination. An effort was

made—perseveringly made—to force slavery into the territory from which it had been excluded by the act of 1820; and, failing in that effort, they now denounce the legislation of 1854, and insist that the principles of the Kansas-Nebraska bill shall be repudiated. As I said the other day, they will have nothing more to do with it. This, I say, is destroying the common understanding that was had between the Representatives of the South and of the North, in 1820.

Now, I wish to ask the gentleman this question: whether the South did not, in 1854, consider it beneficial to them to have the Missouri compromise line repealed? If they did not consider it of any importance, why did they struggle so long and so anxiously for its repeal?

Mr. SINGLETON. Mr. Clerk, the gentleman has not answered the question that I propounded to him. I made the statement on this floor, which I now repeat, that as long as this Missouri compromise line was on the statute-book unrepealed, there was never an attempt on the part of the South to evade its force, either directly or indirectly. Every Territory that has been organized north of that line came in with a clause in its constitution prohibiting slavery. You have received everything you had a right to expect from the passage of that act; and you have lost nothing by its repeal. In the year 1848, upon the organization of a territorial government for Oregon, when a proposition was made by your great leader, whose fortunes you are now following—Mr. Douglas, of Illinois—to extend the Missouri compromise line from the Rio Grande to the Pacific ocean, almost every northern man in the Senate voted against it.

Mr. LEAKE. The bill for the organization of the Territory of Oregon, as reported by the Committee on Territories in the Senate, in the second session of the Twenty-Ninth Congress, contained the usual clause for the prohibition of slavery. Mr. Arntstead Burt, of South Carolina, moved the adoption of a clause designing to reenact the Missouri compromise. That amendment was rejected, and the bill passed in defiance of that objection.

Mr. SINGLETON. If gentlemen will examine the records of the proceedings of Congress their minds will be satisfied that the South did not make war on the line of 36° 30', but on the contrary was willing at all times, by extending it to the Pacific, to make it a line between the North and South, and thus forever settle this vexed question. I will undertake to show by the vote and speech of Senator HALE, of New Hampshire, on the question of organizing a territorial government for Utah, that that was the position occupied by him, and that, while southern men were anxious to have a fair adjustment of the question, northern men constantly and persistently opposed it.

Let me refer to the remarks of a Senator from Mississippi, [Mr. DAVIS:]

“Before making the vote, I wish to offer an amendment to enlarge the parallel 35° to the parallel 36° 30'. I know that my friends say the light is up the better; but I do not think so. I do not perceive why we, without some reason growing out of the settlement of the country, should evade a line established as a political line, and the value of which is

something to me. I look beyond the present question; I look beyond the territory to be organized in the country south of this line, and other gentlemen, I think, look beyond it. But whether they do or not, it will not prevent me from doing so. Why is this half degree to be included in the territory south of it? Simply to raise the question against us, and on this half degree all the way through. The Senator from Illinois is willing, and it is but just I should say so, to make the line of 36° 30', and my own friends commit a great error, I say it in kindness, the foolish of which they will find when they come to organize the territories south of it.”

Well, sir, what did Senator HALE say in response to this proposition made by a Senator from a southern State, [Mr. DAVIS, of Mississippi,] to extend its southern boundary half a degree further south? For what purpose? In order that it might give significance to this line of 36° 30', and that it might be deemed binding on the North and on the South, not only then, but in the organization of Territories at a future day. Mr. HALE spoke as follows:

“I wish to say a word as a reason why I shall vote against the amendment. I shall vote against 36° 30', because I think there is an implication in it. [Laughter.] I will vote for 37° or 38° either, just as it is convenient; but it is idle to shut our eyes to the fact that here is an attempt in this bill—I will not say it is the intention of the mover—to pledge this Senate and Congress to the imaginary line of 36° 30', because there are some historical recollections connected with it in regard to this controversy about slavery. I will content myself with saying that I never will, by vote or speech, admit or submit to anything that may bind the action of our legislation here to make the parallel of 36° 30' the boundary line between slave and free territory. And when I say that, I explain the reason why I go against the amendment.”

A vote was taken upon the amendment offered by Senator DAVIS. I have it before me, and I find that almost every northern man—every one certainly that now belongs to the Republican party—voted against it, and only three or four Senators of the Democratic party North, were found to vote in favor of the proposition. Now, gentlemen, when you take it upon yourselves to palm off upon the country that we have been warring upon the Missouri compromise line; that we have not acquiesced in it in good faith; that we have demanded its repeal; and that it has been through us that it has been repealed, I say you must go back and examine the records of the two Houses of Congress before you make that charge. We know that the Missouri compromise was repealed. Who moved its repeal? Was it a southern man? It came from Mr. DOUGLAS himself. He considered the law unconstitutional, as we did; and when a proposition came from the North declaring it so—as the Supreme Court of the United States has since declared it to be—it was not wonderful at all that we so voted. We would have been recent to ourselves and to the interests of our people, if we had voted otherwise. Well, sir, the Supreme Court has since adjudicated the question, and has said that compromise act ought never to have been upon the statute-book; and if it ought never to have been there, surely it was no act of bad faith on the part of Representatives of the South to vote for its repeal. So long as the question of repeal did not come up, so long as the act placed there by their predecessors remained, they could afford to acquiesce in it; but when they were called upon to cast their votes either to continue or to repeal it, I ask

if any gentleman here does not perceive that it was their duty to vote for its repeal. But I again assert that so long as it remained unrepealed, we did observe it in good faith; and no effort was made to force slavery into any Territory north of that line. In 1848, before the agitation of this question, and whilst Mr. Polk was President, this matter came up in the bill organizing a territorial government for the Territory of Oregon. A clause was inserted forever prohibiting slavery from that Territory, and, although the line did not extend beyond the *Rio Grande*, and although Oregon therefore could not be considered north of that line, yet Mr. Polk gave his sanction to that bill with the prohibitory clause in it; and gave as a reason for so doing that it *would lie north of that line if extended to the Pacific*. You of the North have lost nothing by its repeal; and, therefore, when you offer this as an excuse for excitement and agitation, it will not avail you in the estimation of men of sound sense anywhere.

But, sir, the gentleman from Pennsylvania referred also to the compromise measures of 1850, and seemed to think that we had been wanting in good faith in not observing properly the compromises of that day. What did we of the South receive under these compromise measures? You organized California as a State, one half of which lay south of the line of $36^{\circ} 30'$, and she was brought in without the forms of law, and without a constitution being properly formed by her people. You gave territorial governments to Utah and New Mexico, the whole of Utah, with the exception of half a degree, being south of the Missouri line. Those territorial governments were organized to suit your own views. You abolished the slave trade, and slavery itself, *pro tanto*, in the District of Columbia. The only semblance of good that we got in those compromise measures of 1850, was the fugitive slave law in an amended form. And let me ask you, gentlemen of the North, have you kept faith with us in the enforcement of that law? Can a southern man to-day, if his slave escape, even into a border State, go there with any sort of security, and recover that slave? No, sir; no man in his senses would enter upon such a Quixotic expedition, with hope of success. I might refer to the gentleman's own State—to the Christiana riots, which occurred there, when a southern man was murdered on the soil of Pennsylvania, simply because he undertook to recover a fugitive slave under that law.

I might refer to the difficulties which sprung up in Boston, in the Burns case when it became necessary to call out fourteen or fifteen military companies to suppress the mob, and this Government had to foot a bill of \$13,000 for expenses incurred in enforcing the law. I might refer to these and many other cases to show that so far from acting in good faith, you have thrown all the obstacles you could in the way of the enforcement of that law.

So upon examination it will be found, I apprehend, that in every single case, so far from the South having proved recalcitrant to her trust, or having failed to comply with all constitutional obligations, and the requirements of law, she has

been ready at all times to enforce the laws and uphold the Constitution. I ask, when have we failed to meet promptly all our duties and responsibilities as citizens of this Government? As was remarked by my colleague, the other day, we have always paid our taxes cheerfully. We have always furnished our full quota of men to carry on war against a common enemy; and there has never been a time when the South was not a defender of the Constitution, and of laws made in pursuance thereof. You see no violence in the South; you see no bodies of men organizing themselves into parties to resist the laws. Whenever you wish to regale yourself with a sight of this description you have only to travel North, and there you will find, among those who charge us with a violation of good faith, organized bands of men ready to override all law and order.

I will not detain the House by running over the long list of wrongs which the North has inflicted upon us. I might refer to the 21st rule, which was adopted as a compromise between the two sections of the Union, by which abolition petitions were to be received and laid upon the table, but not read or considered. But you made unceasing war upon it until the rule was repealed, and the door thrown open for the reception of abolition petitions and incendiary documents from every quarter. I might refer to the refusal by your predecessors to admit the slave States—Texas, Florida, and Louisiana—into this Union, although they were far south of the line of $36^{\circ} 30'$, simply because they had slave constitutions. I might speak of your legislative enactments by which you undertake to disqualify your citizens from holding office if they but aid a United States marshal, as a part of the *posse comitatus*, in the recapture of fugitive slaves. I might refer to the incursion of Brown into the State of Virginia, and show that the act was the legitimate fruit of the agitation which you have fomented and are upholding at the North. You might as well expect to see good seed, cast into rich soil, watered by the genial showers of heaven, and warmed by the rays of the sun, refuse to germinate and spring into life, as to keep up this trade at the North and not expect desperate and deluded men to take advantage of it to carry forward their villainous plots.

I might talk about the infamous *Harper* book, which has been circulated through the South for the most nefarious purposes. In reference to it, I will only say that any man who indorsed and recommended it to the public is not fit to be presiding officer of this House. If he did it knowing its contents, he is guilty of treason, and deserves a traitor's doom; if he did it not knowing its contents, he has displayed a degree of recklessness that, in my judgment, totally disqualifies him for so responsible a position. While upon this point, let me say, you seem determined to place as presiding officer over this body a man who signed that circular of recommendation. If you do so, you do it at your peril. You sever at-

other cord that binds the North and South together. That book has been read and understood by the South, and the whole country is in a blaze upon the subject. The moment you select a Speaker who has given countenance to this infamous publication, it will be considered by the South as an act of present insult added to past injuries. Why insist upon putting Mr. SHERMAN in the chair? I have no objection to that gentleman upon personal grounds, for his conduct upon this floor, so far as I have been acquainted with it, has been dignified and gentlemanly. You have other men, whose signatures are not to that book, who would be less obnoxious to the South. But you must judge for yourselves, and take the consequences, for you will be held responsible for it by the South at no distant day.

I propose to pass over what is termed the Abolition party of the country. Gentlemen say there are but few of them; that they are fanatics in their purposes and views. This I do not believe to be the case. If I understand their purposes, they are determined to interfere with slavery wherever found, whether by constitutional means or otherwise. They are determined to destroy the institution in the States, although it may involve the destruction of the Constitution and the Union. But I pass that party by for the present.

Those of you who call yourselves Republicans express your determination not to interfere directly with slavery in the States, but to exclude it from all Territories now belonging to the United States, and from all territory which we may hereafter acquire. Am I right in ascribing to you that position? If not, I want some gentleman upon this floor, who represents your sentiments, to correct me. I do not desire to go before the country upon a false issue. The times are perilous, and we have arrived at a point when it is necessary that we should understand each other. I repeat the question, and pause for a reply: is it not your purpose to exclude slavery from all territory now belonging to the United States, or which may hereafter be acquired? And is this not to be done by direct congressional legislation?

Mr. CURTIS. We are opposed to the extension of slavery, and by every constitutional means which we can honorably interpose, we will, as Republicans, oppose the extension; but we do not propose to stifle the South by circumventing it by any system of policy. You have ample scope at present; with about half the population, the census of 1850 shows that you have two hundred and sixty-four thousand more square miles of land than we have east of the Rocky Mountains. Whenever any stifling influence occurs, then it is right and proper for the people of the country to take up that question, for it is not my purpose, directly, or indirectly, to injure the people of the South. "Sufficient unto the day is the evil thereof."

Mr. SINGLETON. Yes, sir; that is the sort of answer I invariably get from gentlemen—"Sufficient unto the day is the evil thereof." You intend thus to lull the suspicions of the South; make further aggressions upon us, until we are bound hand and foot, and then we are to be dealt with according to your views of propriety. Will

the gentleman answer this question? Does he not believe that Congress has the power, by direct legislation, to exclude slavery from every foot of territory now belonging to the Government; and will he not, when the question comes up, vote for such a law?

Mr. CURTIS. The gentleman has changed his question.

Mr. SINGLETON. No, sir.

Mr. CURTIS. The question, as you put it first, was this: Do I not believe that the people have a right to exclude the people of the South from the territory? I say, I do not. I say we are ready to give you the same rights that we ask for ourselves.

Mr. SINGLETON. Yes, sir.

Mr. CURTIS. Do you suppose that we of the North could not take slaves into the Territories? Have we not the same physical power and the same ability as you have, to buy and carry slaves into the Territories? When we exclude you we exclude ourselves from the right of carrying slaves there. But we do not desire anybody to extend slavery; and we say that we can vote to exclude slavery from the Territories, and I believe we have the constitutional right to do so. It is slaves that we exclude, and not freemen.

Mr. SINGLETON. Exactly. That is what I desired to know. Is that the opinion of your party?

Mr. CURTIS. It is, sir, so far as I know; I speak only for myself.

Mr. SINGLETON. And I believe you are considered one of the most moderate men of that party. I so regard you. Now, I understand, and the country understands, the issue as made up, that never again is a slave State, with slave property, to come into the Union. In other words, we are never to have, inside of this Government, another foot of slave territory while we remain in confederation with you.

Mr. CURTIS. That is the idea, sir; if we can prevent it.

Mr. SINGLETON. Now, sir, do you imagine for one moment that the South is so far lost to every sense of honor as to remain in a confederation with you on such terms? Do you imagine that slavery is to be shut up and inclosed within its present area, however necessary it may be to expand?

Mr. CURTIS. Will the gentleman allow me to ask him one question?

Mr. SINGLETON. Yes, sir.

Mr. CURTIS. When the Constitution was first made, and the ordinance of 1787 was accepted by the First Congress, excluding slavery from all the territory we then had; did you not then live with us in precisely that condition?

Mr. SINGLETON. Of course we lived up to the compacts and compromises of the Constitution; but that Constitution was not adopted when the ordinance of 1787 was made between the States.

Mr. CURTIS. I want to conclude my question. If it was right then, why is it not right now?

Mr. SINGLETON. You are wrong in your premises. In the first place, the Constitution was

not then formed, and when Congress did pass a law in favor of carrying out the ordinance of 1787, it was to carry out an agreement of sovereign States, entered into before the Constitution was formed.

Mr. CURTIS. The law of Congress was passed on the 7th of August, 1789, under the Constitution of the United States, after the Constitution had been adopted.

Mr. SINGLETON. For what purpose?

Mr. CURTIS. Why, accepting and establishing that ordinance of 1787; and thereby excluding slavery from the Northwestern Territory, the only Territory then belonging to the United States. Is not that so?

Mr. SINGLETON. That is true, sir; as I have before explained.

Mr. CURTIS. Well, if it was right then to exclude slavery from the Territories, I ask, in all candor, whether it is not right now?

Mr. SINGLETON. I call the gentleman's attention to the fact that there was no Constitution in existence at the time of the passage of the ordinance of 1787, and the sovereign States had a right to make any compact they pleased.

Mr. CURTIS. The honorable gentleman does not comprehend me. I allude to the law passed by Congress after the Constitution itself was adopted.

Mr. SINGLETON. The gentleman is well aware of the fact that the ordinance of 1787 was a compact between sovereign States, without any Constitution to govern and control their action; and they had a right to enter into whatever agreement they thought proper; and the act of Congress of 7th August, 1789, was only confirming that agreement. But the case now is altogether different. We live under a Constitution adopted by our fathers, and are compelled to conform our legislation to that Constitution. And I submit there is nothing in it giving to Congress the right either to prohibit or establish slavery in any of the Territories; but, in the language of the Supreme Court in the Dred Scott decision:

"The territory being a part of the United States, the Government and the citizen both enter it under the authority of the Constitution, with their respective rights defined and marked out; and the Federal Government can exercise no power over his person or property beyond what that instrument confers, nor lawfully deny any right which it has reserved."

"And no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection than property of any other description. The only power conferred, is the power coupled with the duty of guarding and protecting the owner in his rights."

Mr. REAGAN. The gentleman from Iowa, in all his speeches, has taken the ground that the ordinance of 1787 excluded slavery from all of the Territories. Does the gentleman from Mississippi, by his silence, mean to be considered as acquiescing in that construction?

Mr. SINGLETON. I do not. If you will examine the ordinance of 1787, you will find that it, in terms, excluded slavery from the Northwestern Territory, described as the territory ceded by Virginia to the General Government. It goes no further.

Mr. CLEMENS. Mr. Clerk, if my friend from

Mississippi will yield to me for a moment, I believe I can make a suggestion that will be a full and conclusive answer to the gentleman from Iowa. That question is not made for the first time. The gentleman put it fully, frankly, and fairly; and I submit to you whether the answer is not of that character.

The gentleman from Iowa suggests that, under the ordinance of 1787, slavery was excluded from all the Territories that then belonged to the Union. Admit the fact; granted. There is a specific clause in the Constitution of the United States which provides that all compacts made and entered into under the old articles of confederation shall be valid and existing under the Constitution of the United States, and there is the express power given by the Constitution to carry out that compact made by the several States which formed the Confederation before the Constitution. The gentleman from Iowa now stands before the House and country and declares, with a sober face, without a grin on his countenance, that a special and sovereign power given in the Constitution of the United States, which binds us now, and that legislation, passed in conformity to that specific clause, ought to be construed in favor of the principles for which he is here contending. Now, I submit to the gentleman from Iowa, even on his own premises, whether the conclusion which he has drawn is not utterly unallowable.

Mr. CURTIS. The preamble to the act providing for the government of the territory northwest of the Ohio, approved August 7, 1789, recites that—

"Whereas, in order that the ordinance of the United States in Congress assembled for the government of the territory northwest of the river Ohio may continue to have full effect, it is requisite that certain provisions should be made so as to adapt the same to the present Constitution of the United States."

That act passed and was signed by Washington, and it really passed without a vote. All concurred in the idea that the ordinance of 1787 should be so extended over the Territories then existing to the northwest of the Ohio river.

Mr. CLEMENS. Now, I submit to the gentleman from Iowa, who is a pretty fair man, whether he means to contend, with a grave face, that that law was passed under the power of Congress to govern the Territories, or whether that power was not exercised under a specific grant in the Constitution, to carry out the compacts under the old Confederation; which, in the language of the Constitution, were valid, and existing under the Constitution as under the old articles of confederation?

Mr. CURTIS. I understand that the law was passed for the purpose of making effective the ordinance of 1787.

Mr. SINGLETON. It is true, as the gentleman states, that the law was passed for that purpose; but I again ask him if this ordinance of 1787 was not a compact made by sovereign States before the adoption of the Federal Constitution; and if, when that law was passed under the Constitution, it was not simply for the purpose of carrying out that compact—nothing more and nothing less? So far from the States having agreed that Congress had power to exclude slavery from all the Territories, North Carolina expressly re-

used to cede her territory unless the right to abolish or exclude slavery from that territory should be given up by Congress.

Mr. STANTON. I simply wish to say, now and for the future, that I do not desire to be committed by anything that is said or refused to be said upon this side of the House prior to its organization. I protest against the right of any gentleman to interrogate me here, or to "bind" me by any response or failure to respond on this side of the House. Whenever the House is organized this question will be before the House and the country for discussion. We are prepared to meet it at a proper time and in a proper manner. We will not meet it now, and we enter our protest against being concluded by anything that may be said or refused to be said upon this side of the House.

Mr. SINGLETON. Yes, sir; but you will not meet it in future like men.

Mr. STANTON. We will.

Mr. SINGLETON. You will not do it. I proclaim it to the country, that whenever you do answer the interrogatories propounded, your answers will be evasive in their character, and that you will undertake to delude the people of your own section as to the position you occupy. But I shall hold the gentleman from Iowa [Mr. CURTIS] to the statement made to-day, and go to the country upon the issue. You have avowed on this floor your readiness to exclude slavery by direct legislation from all the territory belonging to the United States, or hereafter to be acquired. If there be a single man among you who does not occupy this ground, let him get up here, in the face of this body and his constituents, and proclaim it. If it is not your doctrine, I want you to disavow it.

Mr. CLEMENS. Some of the gentlemen on the other side of the House seemed absolutely to doubt whether the power which I quoted from the Constitution from memory was there or not. I desire, therefore, with the permission of my friend from Mississippi, to refer specifically to that clause of the Constitution. In the sixth article of section four of the Constitution, it is provided, that—

"All debts contracted and engagements entered into before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation."

And if gentlemen desire to quibble upon the word "engagements," I undertake to prove from the debates and history of the times that those engagements were compacts of which the ordinance of 1787 was one; and inasmuch as the gentleman from Ohio [Mr. STANTON] has expressed his willingness hereafter to develop in full the whole policy of the Republican party, I throw down the glove to him now—and I know very well his ability as a lawyer—and I will undertake, humble as I may be, to meet him on that question, at least, if I am not able to meet him on any other.

Mr. SINGLETON. I ask the attention of gentlemen upon the other side of the House to another question which I intend to ask them, and it is this: is it not your purpose, when you get the power into your hands, to repeal the fugitive slave

law, and leave us without a law for the recclamation of our fugitive slaves? Is not that your purpose, gentlemen? Can I have no response from that side of the House? Is there no one who dare meet the question in the face of the country? I take it for granted, as you refuse to answer, that that is your purpose, and I charge it upon you.

Mr. CURTIS. Some of my friends say, answer the interrogatory, and some say, do not do it. Every man must exercise his own judgment in regard to his right to speak or not to speak on this floor. I shall exercise mine.

Mr. GROW. Then speak only for yourself.

Mr. CURTIS. I shall certainly do that. I do not desire to commit any other gentleman. I say this, that I believe there is a universal sentiment in the North, and I believe it is the general sentiment of the Republican party, that that provision of the Constitution which requires the rendition of fugitive slaves should be fairly, honestly, and honorably carried out. There is a great difference of opinion in regard to the law which now exists. Some believe that it is unconstitutional; others believe that it is inhuman; and a great many believe that the States themselves should exercise this power under the Constitution, and not the General Government. This difference of opinion has always created a great difference of action, not only now, but in the early days of our Republic. In 1796, General Washington wrote to a friend in Massachusetts, Mr. Whipple, saying that one of his wife's servants was in the State of Massachusetts, and he desired her rendition under the act of 1793; but he added, that there was always some feeling in regard to such matters, and that, in the event of any excitement or difficulty in this case, he desired that the servant should not be brought back; and she was not brought back because of the difficulty. This shows that difficulties existed then, in 1796. That feeling exists to-day; the law is unpopular and unsatisfactory; but in spite of that feeling our people are generally disposed to carry out the constitutional provision.

Mr. SINGLETON. Then I understand you to say that the people in your State are in favor of enforcing the fugitive slave law?

Mr. CURTIS. I said that many men in my State think the present law is constitutional in form, but inhuman in its practice; but I say further, that in every instance which has come to my knowledge, when it has been attempted, the law has been executed in my State.

Mr. SINGLETON. Do you speak for the party to which you belong?

Mr. CURTIS. There is nothing said in the national platform of the Republican party, or in that of my own State, in regard to that law.

Mr. SINGLETON. Suppose a bill should be introduced into this House to repeal the fugitive slave law, will you vote for it?

Mr. CURTIS. I will vote to amend the law, for it does not please me.

Mr. SINGLETON. Do I understand you to speak for the party to which you belong?

Mr. CURTIS. I speak for myself, and I speak now as I have spoken to the people of my district at Council Bluffs, in one of the last speeches I ad-

dressed to them. I stated that while the law stood upon our statute books as it was, we had to submit to it, and that we would endeavor to carry it out, although it was obnoxious to us in many of its features.

Mr. LAMAR. Will the gentleman allow me to ask him a question?

Mr. CURTIS. I do not wish to be responsible for prolonging this debate. I hold the floor by the courtesy of the gentleman from Mississippi, [Mr. SINGLETON.]

Mr. LAMAR. I am ready to incur my share of the responsibility. I merely wish to ask the gentleman if he was not a supporter of the Whig platform of 1852, which made the measures of 1850 a finality?

Mr. CURTIS. I voted for General Scott, and that is about all I had to do with it.

Mr. LAMAR. You went for the platform too?

Mr. CURTIS. I went for the platform.

Mr. LAMAR. The gentleman voted for General Scott upon a platform pronouncing those measures a finality; and now the gentleman announces himself in favor of what he calls an amendment of one of those laws.

Mr. CURTIS. Yes, sir; because the Democratic party has since constantly and persistently introduced this question, and forced it upon the people.

Mr. SINGLETON. It must be perfectly apparent that the gentleman has placed himself outside of the Republican party, by declaring that he is in favor of enforcing the fugitive slave law. Does any other Republican on this floor take his position?

Mr. STANTON. I intend, whenever the House is organized, and the proper time comes, to go into a discussion of the powers of Congress under the fugitive slave clause of the Constitution; the execution of it; the form of the law; and all about it; and gentlemen shall have no misunderstanding or misapprehension as to my views upon those subjects. But I decline to enter into the discussion of a constitutional question of great difficulty, in the shape of a dialogue, while another gentleman has the floor to make a speech.

Mr. SINGLETON. I would like to hear the gentleman now.

Mr. STANTON. I decline to make my argument now.

Mr. SINGLETON. The position taken by the Republican party on this floor, of excluding slavery from all the Territories which now belong to us, or which may hereafter be acquired, and their determination to repeal the fugitive slave law, will, if persevered in, sooner or later prove the destruction of every tie which binds us together. If you imagine that the people of the South will submit to be confined to their present area, to be shut out from the common territories acquired by the common blood and measure of the nation, that slavery will linger out a poor and miserable existence within its present borders, and that our slaves are to escape without a law to recover them, I tell you to-day that you may begin to prepare for a dissolution of this Union. Every man upon this floor from the South will counsel their constitu-

nents—though they need not be counseled—to that effect. Their determination is fixed and unalterable, that they will have an expansion of slave territory in this Union if you will allow it, or outside of the Union, if they must. [Applause in the galleries.] With me the excitement upon this subject has passed away in a great measure. The paroxysm is over, and the delirium of fever following the first agitation of this subject has subsided. Upon the supposition that the gentleman from Iowa speaks the sentiments of the Black Republican party, and that their purpose is fixed to exclude us forever from the Territories, and confine us to our present limits, and that the fugitive slave law is to be repealed or so altered as to render it inefficient; if you desire to know my counsel to the people of Mississippi, it is, that they take measures immediately, in conjunction with other southern States, to separate from you. I believe that the sooner we get out of this confederation of States the better it will be for us, as every day we remain with you, under such circumstances, but weakens and impairs our strength, and renders us less able to cope with you.

The question arises, will the Republican party be able, should the South remain in the Union, to carry out their purposes? But one answer can be given to this question: they will. It is a lamentable fact for the country that they have the numerical strength to do it; and we may as well make up our minds at once that slavery will be abolished if things move on in their present direction. The whole North is against us, except a few noble Democrats who adhere to the Democratic standard. The Whig party, which was in power seven years ago, with a good prospect of so continuing, is now absorbed by the Republican party. Our Democratic phalanx of northern men is now whittled down to a small number. The Democrats have the majority in hardly a single northern State, and though we find a few noble specimens of humanity who are willing to stand by our rights, yet they are powerless so far as rendering any assistance to the South is concerned. I glory in their determination to oppose this vitiated public sentiment at the North, though it may be their political overthrow. But without a great change they will be overthrown; and sooner or later the whole power of the Government must pass into the hands of the Republicans.

What evidence have I of it? Gentlemen say that I am mistaken, and that I do not understand public sentiment at the North. How happens it that there are one hundred and seven members upon this floor, Representatives of the Black Republican party? How happens it that almost every Democrat from the North, who has stood up for our constitutional rights in the past, has been defeated and driven into retirement? If we can judge the complexion of politics at the North by the character of its Representatives, we must conclude at once that there is little else than Black Republicanism there. Two years ago we had fifty-three northern Democrats upon this floor. Now we have, I believe, twenty-six. Why were these men turned out? For no other reason than to make place for Black Republicans, who will break down the institution of slavery, if not by inter-

fering with it directly in the States, at least by hedging it in and cutting off all expansion, which will as certainly accomplish the object in time.

Public sentiment is against us. The departments of the Government, though not against us at this moment, will soon be so. You have now almost the control of this branch of Congress, without the aid of any faction from any quarter. You are now within eight or ten votes of organizing the House by the election of a Black Republican Speaker, by force of your own numbers. Very soon, I doubt not, you will turn out the sound men now in this body. I hope for better things; but I doubt not that all your efforts will be directed to overthrowing every man who has dared to speak in behalf of the rights of the South on this floor, and that you will succeed. Then you will have full control of this branch of Congress.

How is it in the Senate? That body is fast becoming Black Republican. There is not a single Senator there from the North who dares to speak in behalf of the constitutional rights of the South who is not marked at the moment, and systematic efforts made to put him out of place. How does it happen that such men as Choate and Everett and Winthrop, in the old Whig party, and Cass, Dodge, Dickinson, and Cushing, in the Democratic party, are out of Congress at this time? Is it not because they dared to defend the rights of the South on the subject of slavery? Have they not been compelled to retire, and make room for Black Republicans? The very same masses at the North who fill this House with Black Republicans can do the same with the Senate, and it only requires a few years to effect the change. Every six years a Senator goes out of place, and a new one is elected; and according to the progress that party has been making for the last few years, it will not take long to give the Black Republicans control in that end of the Capitol.

What else? The very same men who elect members of Congress, and who are opposed to us, can elect their President over our heads. Were we not told, the other day, by the gentleman from Pennsylvania, [Mr. HICKMAN,] that there were eighteen millions of free white people at the North, while there were only eight millions at the South? We do not expect, therefore, to cope with you at the ballot-box. We may possibly succeed, at the next presidential election, by reason of the dissensions in your ranks. Possibly the Democratic party may keep the Government together for the next four years. But, at the end of that time, what chance, I ask southern men, have we of being able to elect a President or keep the control of the Executive branch of the Government?

Well, sir, there is one other branch of the Government—the judiciary. Not long since, SEWARD, the great apostle of the Black Republican party, if I am not mistaken, rose in his place in the Senate, and said, in substance, while we were rejoicing over the decision in the Dred Scott case, "Gentlemen, go on rejoicing; you will have a short life of it. The time is not far distant when that court will be entirely changed." And we know it to be true. The Judges of the Supreme Court are, for the most part, aged, and their places must

soon become vacant. These places must be filled by Executive appointment, and those appointments confirmed by the Senate. The President being a Black Republican, will select Black Republican nominees, and the Senate will obey his behests. Thus, there is nothing to prevent their changing the character of the Supreme Court in the course of the next few years.

All this we foresee. If you suppose we are blind to your purposes, that we are not looking to the future, and calculating the chances of keeping the Union together under the Constitution, and defending our own peculiar institutions, you are most egregiously mistaken. The people of the South are fully awake to all these facts, and are preparing to meet them. With the masses of the people against us at the North, and with the whole Government against us in all its forms, what future is there for slavery in this Union? What have we to look forward to as slave owners? We are to have no expansion—no legislation for the protection of slavery in the Territories. The fugitive slave law is to be repealed or set at naught. Slavery in the District of Columbia, in the dockyards, the arsenals, and all public places, is to be abolished.

I ask, again, what will be the future of the southern slaveholder? If slavery be confined to its present limits, the institution will necessarily be overthrown. It is only a question of time. We have now four million slaves in the fifteen southern States. That population, doubling itself, according to the census returns, every twenty-five years, by natural increase—to say nothing of African importations—we will in fifty years from now have sixteen millions. What else is true? It is a fact known to all, that in the border counties of Maryland, Virginia, Kentucky, and Missouri, slavery is almost a nominal thing. Men cannot afford to own slaves when, by crossing an imaginary line, they fall into the hands of our enemies and their friends who aid them in their flight. Hence you find slave owners in those counties selling off their slaves and crowding them down into the States on the Atlantic coast and Gulf of Mexico. This operation is going on daily, as every man knows. Confine us within our present limits, and it will not be long before the institution will sink of its own weight. We ought not to wait for that time. Do you think, gentlemen, that we will remain quiet while this is being done? Do you think that we will ever consent to have our four million negroes placed on a footing of equality with ourselves, our wives and children? If you do, I tell you that you reckon without your host. The South will never submit to that state of things. It matters not what evils come upon us; it matters not how deep we may have to wade through blood; we are bound to keep our slaves in their present position. And let me ask you, what good would you bring to the slaves by this process of abolition? You may possibly have the object in view of benefiting the slave, or benefiting the white race, or both; but suppose you could carry out your plans and confine us to our present area; and suppose that the institution of slavery should abolish itself, what would you have done? You know it is im-

possible for us to live on terms of equality with them. It is not to be supposed for a moment that we can do so. The result would be a war between the races, which would perhaps involve the utter annihilation of one or the other; and thus you see that, instead of benefiting either, you would have brought disaster upon both.

But I tell you here, to-day, that the institution of slavery must be sustained. The South has made up its mind to keep the black race in bondage. If we are not permitted to do this inside of the Union, I tell you that it will be done outside of it. Yes, sir, and we will expand this institution; we do not intend to be confined within our present limits; and there are not men enough in all your borders to coerce three million armed men in the South, and prevent their going into the surrounding territories. Well, sir, you ask me if we can preserve this institution out of the Union? That question is very frequently asked. I do not know what the result will be. I believe we can. I believe that, although fanaticism is rampant at the North, there is still good sense enough among the people to hold abolitionism in check, and prevent it from making personal war upon us whenever we make up our minds to secede peaceably from this Confederacy.

The gentleman from Pennsylvania [Mr. HICKMAN] said the other day that they would coerce us. I would like to know if he will head the force that comes down for that purpose? He will remember that Mississippi acquired some character in the war with Mexico. He will recollect that we had a regiment of riflemen there, headed by JEFFERSON DAVIS, who still lives to lead, it may be, a southern army in defense of her rights. I would remind him, also, that there was a Palmetto regiment from South Carolina that did some good service in the Mexican war. Other southern States were represented there, and gained an immortality of renown. If he will but cast his eye back to these things, and then recollect that everything we have, and everything that we hold sacred and dear on earth, will be staked upon the issue, he must see at once that any attempt upon the part of the North to coerce us must result in bloodshed—I might say knee-deep—upon our borders. No, the North will never attempt to coerce us. Whenever the South makes up her mind to remain no longer in this confederation of States, we will say to you, "We want no bloodshed; we have nothing against you, if you will let us alone; we will shake hands with you, and walk out of this Confederacy bidding you God's blessing, and wishing that you may prosper; we will leave you in peace, and intend to make no war upon you."

But if you undertake to make war upon us, first look well to the consequences. I believe there is still sufficient conservative feeling left in the North to prevent this state of things. Not only that, but I believe there are men upon this floor, from the North, over whose dead bodies you will be compelled to walk before you ever reach the South. But you will not attack us. You will not send down an army, and spend millions of dollars, for the purpose of reducing us to a condition worse than that of our slaves. You will never undertake to force us back into the Union,

and compel us to live in it, when you have forced us out of it by your intolerable conduct towards us. My word for it, no such thing will be done. And not only that, but we shall be able to take care of our slaves. You do not want them. Although your people would force them from us, when we travel among you; although they seduce them from us at home, and give aid and comfort to them when they escape, you do not want them in your States; they are not a fit element for society. It may be asked, what evidence have I of that fact? There is scarcely a northwestern State that has not a law upon its statute-book preventing the ingress of free negroes into its borders. Why, sir, I am told that in the very town where the Republican candidate for the Speakership resides, the town council, a short time since, passed an ordinance excluding negroes from the place, and they were absolutely stoned out of the town. There is a gentleman now in the gallery of the House who informed me of the fact, and who was present when this occurred, or soon after.

Do you want a free colored population in your midst? You would not feed and clothe them as we do. I have traveled through your section of the country, and, so far as my recollection goes, I have never seen a negro engaged in agricultural pursuits within the borders of a free State. You have nothing to do with them. If you want to employ laborers, you employ white men. They are crowded together in the large cities, live there as they can on the offal of the streets or on what they can steal or what little they can get for their menial services. You know yourselves you have no use for such a population as this. Why even in Canada, I understand that it is seriously contemplated to force the negroes into settlements of their own, to colonize them, so troublesome have they become. Why interfere with our slaves? Have we not built up your northern cities by our commerce? Are they not dependent upon us to-day for our support in the way of trade? The gentleman from New York [Mr. CLARK] declared the other day that they could not do without us.

Mr. CLARK, of New York. I desire to say to the gentleman from Mississippi that my remark was not that the city of New York could not stand against a dissolution of the Union. My remark was—at least, that is what I designed to say—that she had not sent, and, in my judgment, would not consent to send, or could not afford to send, a sectional man to Congress.

Mr. SINGLETON. I understood the gentleman to say that the North could not dispense with the South.

Mr. CLARK, of New York. I have not said that.

Mr. SINGLETON. He said something to that effect. I should like to get hold of the gentleman's speech, and see precisely what language he did employ. I remember it made the impression distinctly on my mind that we were tributary to the North, and that New York could not afford to give up this advantage.

Mr. CLARK, of New York. I did not mean to be so understood. I merely meant to say—for I was then responding to the charge that I was an

Abolitionist—that the city of New York had not sent and would not send a sectional man to Congress. That was all. I may have said that she could not afford to send a sectional man to Congress.

Mr. SINGLETON. The impression made upon my mind—and it was the impression made upon the minds of other gentlemen with whom I have conversed—was as I have stated.

Mr. CLARK, of New York. I did not say that.

Mr. SINGLETON. Well, that was the impression made upon me at the time. The gentleman's speech has gone to the country, and its language will be properly judged.

Mr. Clerk, there is one other question to which I wish to direct the attention of the House for a moment, and that is the question of squatter sovereignty as advocated by certain gentlemen on this floor, and by their great leader, Mr. DOUGLAS. Sovereignty, as I understand it, and as it is defined by lexicographers, is the highest power—the supreme power in a State; and, if this definition be correct, (and I apprehend nobody will controvert it,) when Mr. DOUGLAS and his followers undertake to put the Territorial Legislature upon the same footing with a State Legislature, in my judgment they are guilty of a most egregious blunder. Now, let me ask what sovereignty is there—call it squatter sovereignty, popular sovereignty, or whatever else you please—belonging to the people of a Territory? Can they organize a territorial government for themselves? Can they declare the boundaries of their State? Can they elect their own officers without the special permission of the Congress of the United States? Every act that is passed by the Territorial Legislature is subject to the revision of Congress, and liable to be annulled by that body, and there is not a single act a Territorial Legislature can perform showing it to be sovereign.

But the gentlemen claim that the Legislature of a Territory has the same power as the Legislature of a State. Why, sir, never was a more erroneous proposition asserted. A State Legislature may perform a thousand acts of sovereignty, its power being controlled by no superior. It may pass acts defining and establishing its limits, enlarging or diminishing its boundaries. The people of a State select their own officers, establish their own judicial tribunals, alter or abolish their State government at will. And when gentlemen undertake to put a State and Territory upon the same footing in respect to sovereignty, they involve themselves in difficulties which they cannot meet successfully, and fall short of a correct view of the matter.

Having alluded to this subject, it may be that some gentlemen would like to know what my opinions are in regard to the approaching election of President, or whether I would vote for a man who advocates the doctrine of squatter sovereignty. Well, sir, I state to you now, as I have stated to the people of my district, that I care not who the man may be entertaining these views, and claiming that a Territorial Legislature, either by unfriendly legislation or by refusing to legislate at all, can exclude slavery from such Terri-

ories, and that Congress, in such case, cannot or ought not to pass laws protecting slave property, can never receive my vote for President of the United States—Democrat as I have always been. I will not consent, under any circumstances, so far to stultify myself and injure the South as to lend support to any such heresies. There was a time when I looked upon Judge DOUGLAS as the great man of the party. And I may safely say that if he had not gone off upon this Lecompton question, at the approaching Charleston convention the whole South would have gone for him; and had he not become sectionalized by his course upon that question, he would not only have come out of that convention with the South united for him, but he would have gone into the Presidency beyond a doubt. But I now assert, in the most emphatic language, that if he shall be the nominee of that convention, I care not upon what platform he may stand, I will not cast my vote for him.

Mr. LOGAN. I wish right here to contrast my Democracy with that of the gentleman. As this matter has been brought up, I wish to say, and I believe I express the views of my Democratic colleagues from Illinois, that we will vote for the nominee of the Charleston convention whoever he may be, whether from the North, South, East, or West, for the purpose of putting down the Republican party. [Applause in the galleries.]

Mr. SINGLETON. I thank the gentleman for informing me of the difference of opinion between him and myself. If that is the way the gentleman proposes to put down the Black Republican party by voting for a man who denies protection to slave property in the Territories, I must decline the honor of taking part with him in such election. I do not wish to be misunderstood upon this question. I shall here and elsewhere endeavor to define my position in language that shall convey my ideas.

Mr. ADRAIN. I wish to ask the gentleman from Mississippi if he supported the Kansas-Nebraska bill?

Mr. SINGLETON. I did.

Mr. ADRAIN. Then I ask the gentleman if that bill does not leave the people of the Territories perfectly free to regulate the question of slavery for themselves, and whether the position taken by Judge DOUGLAS is not the position upon which the gentleman supported that bill?

Mr. SINGLETON. Yes, sir; the Kansas and Nebraska bill leaves this question to be settled by the people themselves, but it must be at the proper time; and that is when they make their constitution, prior to coming into the Union as a State. They have not the right to regulate the question of slavery anterior to that time.

Mr. ADRAIN. I wish to ask the gentleman another question. I wish to ask him if the Kansas and Nebraska bill declares that the people of a Territory have not the right to settle the question of slavery until they form a constitution preparatory to coming into the Union?

Mr. SINGLETON. Yes, sir; that is the language of the Kansas and Nebraska act.

Mr. ADRAIN. Well, sir; I deny that inter-

pretation of the act. On the contrary, it expressly says that it is its true intent and meaning not to legislate slavery into any Territory, or to exclude it therefrom; but to leave the people perfectly free to control it themselves.

Mr. SINGLETON. Yes, sir; I understand the difference of interpretation of this act between you and myself. It is a very wide one.

Mr. ADRAIN. I am sorry that there should be a difference between us.

Mr. SINGLETON. I am not sorry. Men have a right to hold their opinions here, and there is no necessity for shedding tears about the matter.

Mr. ADRAIN. I am not defining my position. My object was to understand the gentleman's position.

Mr. CLARK, of New York. I would like to ask the gentleman whether he understands the act creating the territorial organizations for Utah and New Mexico, as not permitting the people of those Territories to exclude slavery while they remain in a territorial condition?

Mr. SINGLETON. I have not examined the provisions of that act very recently, and will not undertake, at this moment, to answer the question of the gentleman in positive terms; but my impression is, it bears no such interpretation.

Mr. CLARK, of New York. Well, sir; I will simply say to my friend from Mexico [great laughter]—

Mr. SINGLETON. Very well, the gentleman need not be surprised before a great while to find me coming from Mexico, for it will not be long before we shall extend our borders in that direction. [Laughter.]

Mr. CLARK, of New York. I will simply say to my friend from Mississippi that the language of the act creating the territorial organization for Utah and New Mexico, permits them to come into the Union with or without slavery, as they may see fit. Now, if I understood the argument of the honorable gentleman, he insists that Congress has no right to pass a law excluding slavery from the Territories.

Mr. SINGLETON. I do.

Mr. CLARK, of New York. Now, if the people of the Territories, through their Legislative Assemblies, cannot exclude slavery, how is it possible, if slavery may go unrammed into the Territories, that Utah and New Mexico can come into the Union without slavery, if they see fit?

Mr. SINGLETON. Precisely as every other free State has come in. When they come to form their State organization, they may exclude slavery if they think proper.

Mr. CLARK, of New York. Perhaps the gentleman from Mississippi does not understand the point of my question. The law creating the territorial organizations of Utah and New Mexico expressly declares that those two Territories may come into the Union with or without slavery, as they may see fit. Now, the argument of the gentleman is that Congress cannot, by law, exclude slavery from the Territories. His argument also is that the people of a Territory cannot exclude it. If these positions be sound, how is it possible that that part of the compromise of 1850 can take effect?

Mr. SINGLETON. I think the response I have already given answers the question of the gentleman: that the delegates in the convention which meets to form a constitution and State government prior to coming into the Union may then perform the first act of sovereignty of the Territory, and exclude slavery if they shall see fit. They would not then be controlled by any act of Congress, according to former precedents; and the people of some of the Territories have even held such conventions without the authority of an act of Congress. The gentleman must know that Territorial Legislatures do not make constitutions, but delegates elected by the people for that purpose.

Mr. CLARK, of New York. There is a particular moment when the transition takes place from a Territory to a State; and if slavery is there the new State must come in with slavery. I ask the gentleman whether it is possible, upon his own theory, that Utah and New Mexico can come in without slavery, even if the people shall see fit to do so, as is provided in the organic act? Does the gentleman stand upon the compromises of 1850?

Mr. SINGLETON. Well, sir, I did not. I made war upon them in my own State at the time of their adoption, and I have never been satisfied with them from that day to the present. The people of my State, however, declared that they would abide by them, and I agreed to acquiesce in that decision simply because I could not do otherwise.

Mr. CLARK, of New York. I ask if the terms of the compromises of 1850 were not that Utah and New Mexico may come into the Union with or without slavery as they may see fit?

Mr. SINGLETON. Certainly.

Mr. LAMAR. I understand that it is denied by gentlemen upon the other side that the Kansas bill specifies the mode and time when slavery shall be excluded or admitted. I understood the gentleman from New Jersey [Mr. ADRAIN] made that denial.

Mr. ADRAIN. Certainly.

Mr. LAMAR. And the gentleman from New York [Mr. CLARK] made that denial. I now assert that the Kansas-Nebraska bill expressly prescribes the time when, and the mode in which, that question may be determined; and a prescription of that time and mode precludes any other time and any other mode. After organizing the Territory and defining its limits, the bill says:

"And when admitted as a State or States, the said Territories, or any portion of the same, shall be received into the Union with or without slavery as their constitutions may prescribe at the time of such admission."

Mr. McCLEARNAND. But that does not prevent the people from exercising that power before that time. It carries no implication to that effect.

Mr. LAMAR. Expressio unius est exclusio alterius.

Mr. McCLEARNAND. That maxim does not apply.

Mr. GROW. When doctors disagree, who shall decide?

Mr. CLARK, of New York. I referred to the bills organizing the Territories of Utah and New Mexico, and not to that organizing Kansas.

Mr. SINGLETON. The power is left an open one. They may come in with slavery or without slavery, as they may determine; and the question now is, when may they determine upon the character of their domestic institutions? I say, when they frame their organic law, and not before. They have no sovereignty, as I have shown, in their territorial state, and they can exercise no right whatever, independent of the authority of the Congress of the United States. The very first act of sovereignty they can do is in framing their fundamental law. In that they have the right to declare whether they will tolerate slavery or not.

A few words more and I shall conclude. I have already detained the House longer than I intended. The question now is, if we sever the connection which binds us and the North together, how are we to preserve the institution of slavery? There is but one mode by which, in my humble judgment, it can be perpetuated for any considerable number of years. We may fail in that, but certainly it is the surest chance offered us to preserve it. That mode is by expansion, and that expansion must be in the direction of Mexico. At present there is no settled government there. It is, to all intents and purposes, defunct; and we have the right, to the exclusion of all others, to administer upon the estate; and when we have wound it up, there being no better heirs than ourselves, we will be compelled to hold that territory. That will afford us an outlet for slavery. There is in Mexico a large extent of territory that is suited to the cultivation of cotton, sugar, and rice. In my opinion we must, and we are compelled to, expand in that direction, and thus perpetuate it—a hundred or a thousand years it may be. That is the only conceivable mode by which that institution can be preserved, unless the people of the North shall put down this Republican party, open the Territories to us, protect slavery when carried there, enforce the fugitive slave law, and give us the full measure of our rights under the Constitution. I have but little hopes that they will do this. It has been long a winning game for politicians. This slavery agitation has been the hobby upon which they have rode into office, and they are not willing to abandon it now.

It may be asked, when will the time come when we shall separate from the North? I say candidly, if the views expressed by the gentleman from Iowa are, as he says, common to the Republican party, and if they are determined to enforce those views, I declare myself ready to-day. I would not ask to delay the time a single hour. I am willing to unite with the people of the South for this purpose, at any time. I speak the words of truth and soberness when I say that I believe a majority of my constituents are prepared to take that step. In the last canvass I occupied the same ground I occupy to-day. An independent Democrat ran against me, and attempted to put me down upon my ultra southern views; and yet, in a district of fourteen thousand votes, I was elected by five thousand five hundred and sixty-four majority. But not only is my district, but I believe every district in my State is prepared to take ground in favor of a dissolution of the Union, when you tell them that such are your sentiments and pur-

poses. But it is not probable that we will do it to-day or to-morrow. You ask me when will the time come; when will the South be united? It will be when you elect a Black Republican—HALE, SEWARD, or CHASE—President of the United States. Whenever you undertake to place such a man to preside over the destinies of the South, you may expect to see us undivided and indivisible friends, and to see all parties of the South arrayed to resist his inauguration. Can we stand by and permit such a man as either of those named, entertaining such sentiments, to take the presidential chair? What should we have to hope for? A man who will walk into the United States Senate and put his hand upon the Bible and take an oath to support the Constitution of the United States so long as he remains a member of that body, and then, before he is fairly seated in his place, rise up and declare that there is a higher law than the Constitution to control his action upon the subject of slavery, is not fit to be ruler of the nation. We will never commit our institutions to the keeping of a man who will not respect the Constitution, though sworn to do it. We can never quietly stand by and permit the control of the Army and Navy to go into the hands of a Black Republican President, elected by a purely sectional vote, upon an anti-slavery platform. It is known to you, as it is to me, that the President has the right, to a great extent, to remove the officers of the Army and Navy without giving a reason for his action. Whenever those officers, therefore, render themselves obnoxious to a Black Republican President, by refusing to obey his behests, in his crusade against slavery and slave owners, their places will be vacated to make place for his minions and suppliant tools. And thus, with the military and naval forces at his command, he would be prepared to execute the threats of coercion indulged in upon this floor by his satellites.

Again, I believe the presidential appointments number some one hundred and twenty thousand. Of these, some fifty thousand are in the South. If SEWARD or any other man of like views be elected President, I take it for granted that no honorable gentleman in the South will hold office under him. I would not do it myself; and I believe my constituents and the people generally would take the same high grounds. If there be found in the South those who would be willing to take office under him, they would be marked, and if not expelled from the community, would be looked upon with great suspicion. Can you suppose that the people of the South will permit fifty thousand office-holders, or any number of them, to be sent there as abolition emissaries, for the purpose of stealing our slaves and encouraging insurrection among them? Is it to be presumed that we could submit to such a state of things? No, sir; the South will never submit to it, if I understand her temper and disposition in regard to the matter. So that, when the day shall arrive that a Black Republican is elected President of the United States—a man who declares that there is an irrepressible conflict going on between slave labor and free labor, and that the former must give place to the latter—and whenever such a man undertakes

to force himself upon us, then you will find that every arm in the South will be nerved for resistance, and that the days of the Republic are numbered.

If you mean to preserve the Union, there is but one plan by which you can succeed in doing it. Recede at once from the position you have taken; throw open the Territories to us; acknowledge our right to settle them; declare to the world that if a Territory apply for admission as a slave State, you will at once, and without any reservation, admit her; execute the fugitive slave law; however unpleasant it may be to you, give assurance to the people of the South that when their slaves run away, you will, at least, interpose no obstacles to their recovery; cease your eternal war upon this institution, and then we may expect the storm to subside, the political waters to recede, and the vessel of state to right herself, and dance gayly away before a prosperous breeze. I am no prophet, nor the son of a prophet; but I tell you that unless you do this, unless you desist from the course which you are pursuing, the historian now lives who will write the sad epitaph of *Illum fuit* upon the monument of the nation.

Mr. KILGORE. Mr. Clerk, [cries of "Sit down," from the Republican benches.] I understand the gentleman to assume that the South has a right to secede from the Union peaceably, and that he is in favor of peaceable secession.

Mr. SINGLETON. Yes, sir.

Mr. KILGORE. He follows up that declaration, however, by saying that the South will not permit the inauguration of a Black Republican President. I ask him how it can prevent that, peaceably?

Mr. SINGLETON. Why, sir, by severing our connection with you. You may make him President of the northern States, but you cannot make him President of this Republic. I do claim the right of peaceable secession. I say that the States have the right to judge of the time and manner of secession; and I should like to know of the gentleman whether he would undertake to prevent our going out, or to bring us back again forcibly, if we do go out? Will you answer that question?

Mr. KILGORE. I am not to answer for anybody but myself.

Mr. SINGLETON. Then I want you to answer for yourself.

Mr. KILGORE. So far as I am concerned, I should regret exceedingly to see disunion. I represent a portion of the great West. We are a conservative people. We are disposed to hold this Union together, peaceably if we can; and we are in favor of administering a little chastisement on those who would attempt to resort to force to overthrow the Government.

Mr. SINGLETON. Then you would attempt to force us back?

Mr. KILGORE. Yes; by all legal and legitimate means. If men commit treason, and levy war against the Government, they must suffer for it.

Mr. SINGLETON. We do not intend to carry on war against the Government while we live under it; but we do claim a right to sever all connection with you. We were originally thirteen sovereign States, recognized as such by Great Britain, and these sovereignties made the Constitution which

binds us together. When we leave you, we expect to occupy precisely the same position that we did before we came into the confederation of States.

I thank the gentleman for the word "chastisement." That is a thing which we do not submit to in the South.

Mr. KILGORE. I did not use the word in an offensive sense. I merely speak of the legal chastisement of those who violate the laws or commit treason. I meant no other chastisement.

Mr. SINGLETON. I am glad to hear the gentleman explain it in that way; because there are very few white people in the South who would submit to anything of that sort, or even a threat of the kind; and I accept the gentleman's explanation. Whenever gentlemen undertake to play that game with us, they will find us ready for them. There is not a boy of ten years old in the State of Mississippi who does not know how to handle the shot-gun and rifle. Whenever you undertake to speak of chastisement, just let us know what you mean, and we will engage to take care of ourselves.

Mr. KILGORE. I repeat that I did not use the word in an offensive sense; but permit me to say to the gentleman, that an acquaintance with the use of the shot-gun and rifle is not restricted to the South. They were the toys of my childhood, and tools of my trade, with which I, in part, earned my living in after days.

Mr. SINGLETON. Well; I hope that, when the time comes round, and you undertake to chastise us, you will come down with your shot-gun. I would advise you, however, not to encumber yourself too much; because, in your flight, you might want to get rid of all unnecessary articles.

Mr. KILGORE. I would say to the gentleman, I am not one of the artillery that flies from danger.

Mr. SINGLETON. Well; we will see when you come down South. We will then be able to test you.

Mr. KILGORE. But I am not going South. [Laughter.]

Mr. SINGLETON. Does the gentleman pretend to say that there is no time, in the history of the Government, when a State may become the judge of the mode and manner of redress against the grievances of the General Government?

Mr. KILGORE. I say to the gentleman, emphatically, that any State of the Confederacy, if improperly infringed upon by the powers of the General Government, would have a right to secede, after exhausting all legal and constitutional means for redress, though it might amount to revolution.

Mr. SINGLETON. Then, if a State has the right to secede, how can the gentleman claim the right for the remaining States to coerce us? If a State has the right of secession from the Union, it is surely most illogical and unphilosophical to claim that there is an antagonistic right existing in the General Government, or in the other States, to coerce her to stay in, or attempt to bring her back against her will. We claim this right, and whenever the time comes, we mean to exercise it.

With my apologies to the House for this very rambling speech, I have done.